

Message Text

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ORIGIN OES-07

INFO OCT-01 EUR-12 EA-10 ISO-00 L-03 COME-00 FEA-01
ACDA-07 AGRE-00 AID-05 CEA-01 CEQ-01 CG-00
CIAE-00 DLOS-09 DODE-00 DOTE-00 EB-08 EPA-01
ERDA-05 FMC-01 TRSE-00 H-01 INR-07 INT-05 IO-13
JUSE-00 NSAE-00 NSC-05 NSF-01 OMB-01 PA-01 PM-05
PRS-01 SP-02 SS-15 USIA-06 /135 R

DRAFTED BY OES/OFA/FA:LLSNEAD:SES
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L/OES - DCOLSON (SUBS)
EA/J - SECTON
EUR/CAN - JROUSE
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-----028520 040043Z /75

P 032145Z OCT 77
FM SECSTATE WASHDC
TO AMEMBASSY OTTAWA PRIORITY
AMEMBASSY TOKYO PRIORITY

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E.O. 11652: N/A

TAGS: EFIS, JA, CA

SUBJECT: PROTOCOL TO THE INTERNATIONAL CONVENTION FOR THE
HIGH SEAS FISHERIES OF THE NORTH PACIFIC OCEAN

1. DEPT. REQUESTS ACTION EMBASSIES TO PROVIDE HOST
GOVERNMENTS FOLLOWING TEXT OF SUBJECT PROTOCOL WHICH USG
HAS PREPARED IN PREPARATION FOR OCTOBER 24-28 MEETING TO
RENEGOTIATE THE INPFC. DEPT. WOULD APPRECIATE REACTION OF
HOST GOVERNMENTS ASAP.

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BEGIN TEXT:

PROTOCOL TO THE INTERNATIONAL CONVENTION FOR THE
HIGH SEAS FISHERIES OF THE NORTH PACIFIC OCEAN

THE GOVERNMENTS OF THE UNITED STATES OF AMERICA,
CANADA AND JAPAN,

WITH REGARD TO THE INTERNATIONAL CONVENTION FOR THE
HIGH SEAS FISHERIES OF THE NORTH PACIFIC OCEAN, SIGNED
AT TOKYO ON THE NINTH DAY OF MAY, NINETEEN HUNDRED FIFTY-
TWO:

SHARING THE VIEW THAT THE CONVENTION, ITS ANNEX AND
PROTOCOL THERETO HAVE SERVED TO PROMOTE AND COORDINATE
SCIENTIFIC STUDIES RELATING TO THE FISHERY RESOURCES OF
THE NORTH PACIFIC OCEAN AND ITS ADJACENT SEAS, AND THAT
THE PRINCIPLES EMBODIED IN THE CONVENTION HAVE AIDED IN
THE CONSERVATION OF THESE FISHERIES RESOURCES;
TAKING INTO ACCOUNT THAT EACH OF THE PARTIES
HAS ESTABLISHED BY DOMESTIC LEGISLATION NEW FISHERY JURIS-
DICTION IN THE CONVENTION AREA;
ACKNOWLEDGING THAT CERTAIN ASPECTS OF THE CONVENTION
MUST BE RESTRUCTURED TO ENSURE COMPATIBILITY WITH SUCH
JURISDICTION;
INTENDING THAT THE FOLLOWING TERMS AND CONDITIONS
SHALL HEREINAFTER APPLY IN THE CONVENTION AREA AND THAT
PROVISIONS OF THE CONVENTION WHICH ARE INCONSISTENT WITH
THE FOLLOWING SHALL BE TERMINATED AND SUPERSEDED;
HAVE AGREED AS FOLLOWS:

1. THE CONVENTION AND COMMISSION ESTABLISHED PURSUANT
THERETO, SHALL BE CONCERNED SOLELY WITH ANADROMOUS SPECIES.

2. THE COMMISSION SHALL OPERATE AS A CONSULTATIVE BODY
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FOR THE PURPOSE OF ANALYZING AND PROMOTING THE COLLECTION
OF SCIENTIFIC DATA RELATING TO ANADROMOUS SPECIES AND OF
MAKING RECOMMENDATIONS TO DOMESTIC FISHERY MANAGEMENT
AUTHORITIES IN ACCORDANCE WITH PARAGRAPH 4.

3. FROM TIME TO TIME, THE COMMISSION SHALL DISCUSS, AND
UPON UNANIMOUS CONSENT, MAKE RECOMMENDATIONS TO GOVERN-
MENTS WHICH CONCERN THE FOLLOWING:

-- THE SIZE OF RUNS OF ANADROMOUS SPECIES IN THE
CONVENTION AREA;
-- THE CONTINENT OF ORIGIN OF ANADROMOUS SPECIES IN
THE LAND-BASED FISHERY;
-- THE INTERMINGLING OF STOCKS;
-- PROTECTION FOR ANADROMOUS SPECIES OF NORTH
AMERICAN ORIGIN;
-- PROTECTION FOR A ADROMOUS SPECIES OF ASIAN ORIGIN;
-- THE ENCOURAGEMENT OF SCIENTIFIC STUDIES, AND THE
COORDINATION OF SCIENTIFIC DATA COLLECTION AND ANALYSIS
REGARDING ANADROMOUS SPECIES;
-- AND SUCH OTHER MATTERS AS THE CONTRACTING PARTIES
MAY AGREE.

4. THE CONTRACTING PARTIES AGREE THAT IN ORDER TO PROTECT ANADROMOUS SPECIES OF NORTH AMERICAN ORIGIN THE HIGH SEAS JAPANESE MOTHERSHIP FISHERY WILL FISH ONLY IN WATERS WEST OF 170 DEGREES EAST LONGITUDE, AND THE JAPANESE LAND-BASED SALMON FISHERY WILL FISH ONLY IN WATERS WEST 165 DEGREES EAST LONGITUDE UNTIL SUCH TIME AS THE CONTINENT OF ORIGIN OF ANADROMOUS SPECIES IN SUCH WATERS SHALL BE DETERMINED. EAST OF SUCH WATERS, JAPANESE NATIONALS AND VESSELS SHALL

NOT ENGAGE IN THE EXPLOITATION OF ANADROMOUS SPECIES, OR IN THE LOADING, PROCESSING, POSSESSING OR TRANSPORTING OF ANADROMOUS SPECIES, UNLESS SUCH EXPLOITATION, LOADING, PROCESSING, OR TRANSPORTING IS AUTHORIZED UNDER A PERMIT LIMITED OFFICIAL USE

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ISSUED PURSUANT TO A UNITED STATES-JAPAN GOVERNING INTERNATIONAL FISHERY AGREEMENT, OR A CANADA-JAPAN FISHERY AGREEMENT.

5. IN WATERS WEST OF 170 DEGREES EAST LONGITUDE WHICH ARE WITHIN THE UNITED STATES FISHERY CONSERVATION ZONE, THE UNITED STATES SHALL AUTHORIZE FISHING FOR ANADROMOUS SPECIES AND SHALL ISSUE PERMITS ACCORDINGLY, PURSUANT TO THIS AGREEMENT. FISHERY SUPPORT VESSELS SHALL BE REQUIRED TO HAVE ON BOARD A VALID PERMIT WHILE IN THE UNITED STATES FISHERY CONSERVATION ZONE.

6. WITHIN THE UNITED STATES FISHERY CONSERVATION ZONE THE UNITED STATES, AND WITH THE CANADIAN 200-MILE ZONE CANADA, SHALL ENFORCE THE PROVISIONS OF THIS AGREEMENT.

7. BEYOND THE UNITED STATES FISHERY CONSERVATION ZONE AND THE CANADIAN 200-MILE ZONE, ANY CONTRACTING PARTY MAY ENFORCE THE PROVISIONS OF THIS AGREEMENT AND TAKE FURTHER ACTION IN ACCORDANCE WITH ITS DOMESTIC LAWS.

8. ENFORCEMENT ACTIONS TAKEN PURSUANT TO THIS AGREEMENT SHALL BE PROMPTLY REPORTED TO THE OTHER CONTRACTING PARTIES, INCLUDING THE ULTIMATE DISPOSITION OF EACH CASE.

9. ARTICLE VI AND VIII OF THE CONVENTION SHALL REMAIN IN FULL FORCE AND EFFECT BETWEEN THE CONTRACTING PARTIES.

10. THIS PROTOCOL SHALL BE SUBJECT TO RATIFICATION BY THE CONTRACTING PARTIES IN ACCORDANCE WITH THEIR RESPECTIVE CONSTITUTIONAL PROCESSES. THE INSTRUMENTS OF RATIFICATION SHALL BE EXCHANGED IN WASHINGTON AS SOON AS POSSIBLE. THE PROTOCOL SHALL ENTER INTO FORCE ON THE DATE OF EX-LIMITED OFFICIAL USE

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CHANGE OF RATIFICATIONS BETWEEN ALL THREE CONTRACTING PARTIES, AT WHICH TIME ALL INCONSISTENT PROVISIONS OF THE CONVENTION, INCLUDING ITS ANNEX AND EARLIER PROTOCOL, SHALL BE TERMINATED. THIS PROTOCOL AND THOSE PORTIONS OF THE CONVENTION, NOT TERMINATED BY THIS PROTOCOL, SHALL CONTINUE IN FORCE UNTIL ONE YEAR FROM THE DAY ON WHICH A CONTRACTING PARTY SHALL GIVE NOTICE TO THE OTHER CONTRACTING PARTIES OF AN INTENTION OF TERMINATING THE CONVENTION, WHEREUPON IT SHALL TERMINATE AS TO ALL CONTRACTING PARTIES.

IN WITNESS WHEREOF, THE RESPECTIVE PLENIPOTENTIARIES HAVE SIGNED THIS PROTOCOL.

DONE IN TRIPPLICATE, IN THE ENGLISH AND JAPANESE LANGUAGES, ALL OF WHICH SHALL BE EQUALLY AUTHENTIC, AT

-----THIS-----DAY OF-----,-----.

END TEXT.

2. ACTION EMBASSIES SHOULD ALSO INFORM HOST GOVERNMENTS THAT THIS PROTOCOL PRESUMES THERE WOULD BE A SUCCESSFUL RENEGOTIATION AND THAT THE UNITED STATES WOULD WITHDRAW ITS NOTICE OF INTENT TO WITHDRAW, BEFORE FEBRUARY 9, 1978. FURTHER, IN AN AGREED MINUTE, THE PARTIES WOULD SPECIFY THEIR INTENT AS TO THE PORTIONS OF THE CONVENTION THAT WOULD BE SUPERSEDED. CHRISTOPHER

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: FISHERIES, TEXT, OCEANS, FISHING AGREEMENTS
Control Number: n/a
Copy: SINGLE
Sent Date: 03-Oct-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D770360-0796
Format: TEL
From: STATE
Handling Restrictions: n/a
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To: OTTAWA TOKYO
Type: TE
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